Remarks

The Examiner has rejected claims 1-29 and 34-45 as being indefinite under 35 U.S.C. § 112, second paragraph, with respect to the terms "mechanical elasticity, especially in association with units like Pascals or psi"; "mechanical ultimate strength" (claim 3) and "elasticity with units like Pascals." As set out below, it is believed that each of these terms are well known to those skilled in the art.

Elasticity

"Mechanical elasticity" or "elasticity" is a mechanical property for a material on which a force causes a stretch. This property is quantified by comparing the stress (force per unit area) with the strain (amount of elongation). The ratio of the stress to the strain is termed the modulus of elasticity and "is expressed in the same units as the stress σ, namely in Pascals or one of its multiples if SI units are used, and in psi or ksi if U.S. customary units are used." Beer et al., "Mechanics of Materials," 3rd Ed., McGraw Hill (2002), at page 56 attached as Exhibit A. See also, Dowling, "Mechanical Behavior of Materials," 2d Ed., Prentice Hall (1999), at page 3 and 110. The term "mechanical" as applied to "elasticity" is simply an adjective for elasticity and other terms used in mechanical engineering; see the word "Mechanical" as used in the title of the book by Dowling referred to above.

Ultimate Strength

"Ultimate strength" is the largest stress that may be applied to a material before the material fractures. This stress, see "ultimate strength in tension" (claim 1), of a material has the units of stress expressed as Newtons per square meter or Pascals, see Beer, et al., of Exhibit A at page 28 and Dowling of Exhibit B at pages 4, 112 and 136.
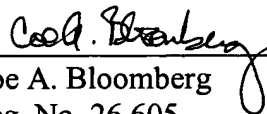
Allowance of claims 1-29 and 34-45 is earnestly solicited.

Respectfully submitted

JONES DAY

Date: __May 24, 2005__   By_____

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